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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
RICHARD ARNOLD ARMENTA,  
  
Defendant.

CASE NO. 5:20-MJ-00046-JLT

MOTION TO DISMISS COUNT ONE;  
~~PROPOSED~~ ORDER DISMISSING COUNT 1  
AND SETTING A STATUS CONFERENCE

**MOTION TO DISMISS COUNT ONE**

Plaintiff United States of America, by and through counsel, moves to dismiss Count One, a violation of 16 U.S.C. § 3372(a)(4), of the November 20, 2020 Criminal Complaint against Richard Arnold Armenta pursuant to Federal Rule of Criminal Procedure 48(a). With the dismissal of Count One, the only Class A Misdemeanor charge in the Complaint will be dismissed, obviating the need for the currently scheduled July 30, 2021 preliminary hearing. The United States requests that the currently scheduled preliminary hearing be converted to a status date.

Dated: July 29, 2021

PHILLIP A. TALBERT  
Acting United States Attorney

/s/ ALEXANDRE DEMPSEY  
ALEXANDRE DEMPSEY  
Assistant United States Attorney

**[PROPOSED] FINDINGS AND ORDER**

Based upon the motion of the government, the Court **ORDERS**:

1. Count 1 is DISMISSED.
2. The preliminary hearing is VACATED.
3. The Court sets a status conference on September 7, 2021 at 9 a.m.

IT IS SO ORDERED.

Dated: July 29, 2021

/s/ Jennifer L. Thurston  
CHIEF UNITED STATES MAGISTRATE JUDGE